

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Trustees of the Operating Engineers Local 137, 137A, 137B,)	
137C & 137R Annuity, Pension, Welfare and Apprenticeship)	
Skill Improvement & Safety Funds of the International Union)	Index # 21-cv-1281 (PMH)
of Operating Engineers, Local 137, 137A, 137B, 137C & 137R)	
and the International Union of Operating Engineers Local 137,)	
137A, 137B, 137C & 137R,)	
)	
Plaintiffs,)	<u>DEFAULT JUDGMENT</u>
-against-)	
)	
STATE CONTRACTING CORP. OF NY a/k/a STATE)	
CONTRACTING CORP.,)	
)	
Defendant,)	
)	

This action having been commenced on February 12, 2021 with the filing of the summons and complaint and the summons and complaint were served upon the Employer on February 17, 2021 via NYS Secretary of State and proof of such service thereof was filed on March 24, 2021 and the defendant not having appeared, answered or otherwise moved with respect to the Complaint within the time allowed by law, and the time for appearing, answering or otherwise moving having expired it is,

ORDERED, ADJUDGED AND DECREED: that Plaintiffs have judgment against Defendant in Twenty-Five Thousand Five Hundred Eight Dollars and Forty Three Cents the liquidated amount of ~~Twenty-Five Thousand Five Hundred Ten Dollars and Forty Three Cents~~ (\$25,508.43) (~~\$25,510.43~~) which includes the following: \$24,134.63 in unpaid fringe benefit contributions and for the period January 1, 2016 through to and including October 30, 2020 (audit findings); \$2,598.82 in interest calculated at 10% per annum for each delinquent month through the date of the Audit Report, December 10, 2020; \$2,413.46 in liquidated damages calculated at 10% of the principal amount due for the period January 1, 2016 through October 30, 2020; audit cost in the amount of \$6,042.90; attorneys' fees in the amount of \$1,485.00; court costs and disbursements in the amount of \$472.00 pursuant to the Agreement and in accordance with Section 502(g)(2)(D) of ERISA 29 U.S.C. 1132 (g)(2)(D)); and credit for payment made reducing the total balance by \$11,638.38.

ORDERED, that the Judgment rendered by the Court on this day in favor of the Plaintiffs is entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.

Dated: White Plains, New York
September 27, 2021

So Ordered:

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

Honorable Philip M. Halpern, U.S.D.J.